

# Construction Contracting with Caltrans – How to Submit a Responsive Bid

January 2009



# Preparing a Responsive Bid

**Caltrans mission is to improve mobility across California. The construction industry is our partner in achieving this mission.**

**The following information is provided to assist our industry partners in preparing bids responsive to state and federal contracting requirements.**



# Preparing A Responsive Bid

## ***Notice:***

Although we have strived to make this document as complete as possible, contractors are advised that individual contracts may have unique requirements. Bidders are advised to thoroughly review the contract documents (plans, specifications, materials information, bid items and addenda) to submit bidder's inquiries as necessary.

## ***Disclaimer:***

The Department of Transportation (Caltrans) has provided this information as a convenience to bidders. It does not constitute a legal standard, nor does it establish departmental policy.



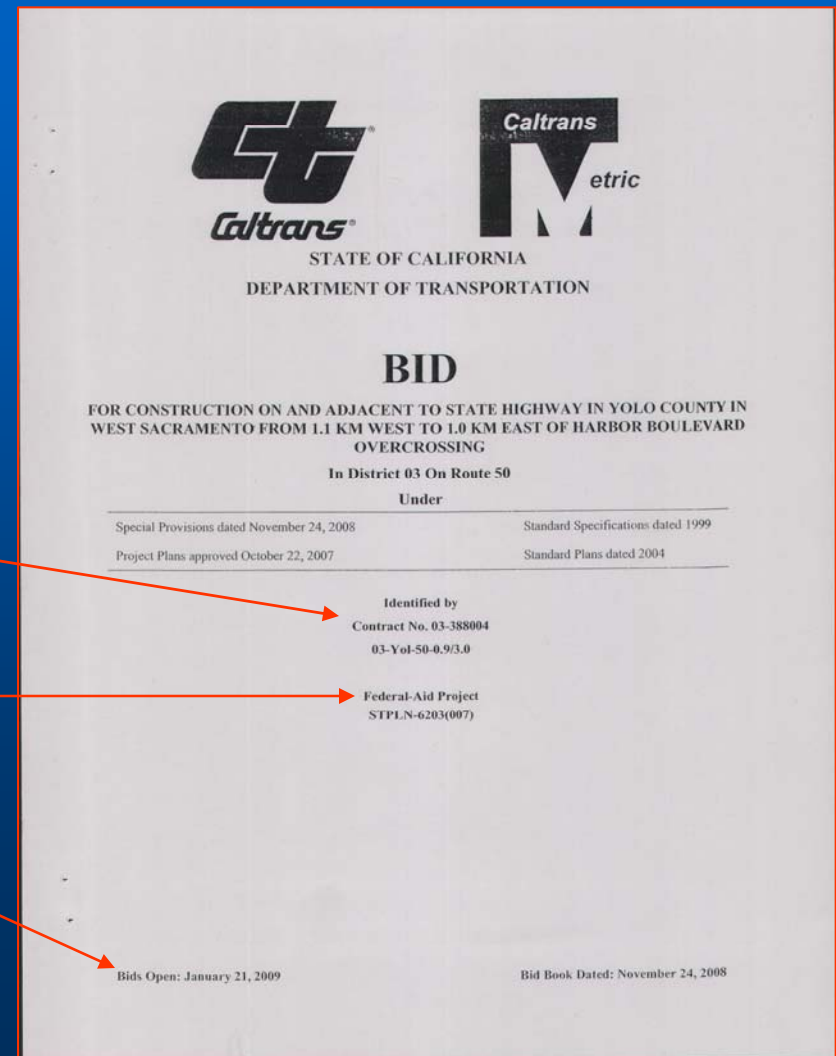
# Bidding – 12 Basic Requirements

1. Review and understand the contract requirements
2. Be trustworthy and possess the quality, fitness, capacity and experience to perform a public works contract
3. Possess a valid Contractors License in CA of type(s) specified for contract
4. Legibly complete all bid items (unit prices and extensions)
5. Acknowledge any addenda
6. Sign the Bid
7. Claim appropriate preferences
8. List subcontractors (greater of 1/2 of 1%, or \$10,000)
9. Provide bidder security = 10% of your bid (either bond or cashier's check)
10. Complete the certifications
11. Submit DVBE/GFE with bid or by 4<sup>th</sup> day after
12. Submit the bid by time specified



# Bid Book Contents - Cover

- This is a typical bid book for a Caltrans construction contract
- Note the following:
  - Contract Number
  - Federal Aid number (absent from State-only funded contracts)
  - Bid opening date



# Completing Your Bid – Page 1

- Legibly print or type company information including address, telephone number and fax.
- Include license number (type not required).
- Make sure your license is in good standing.
- Note the bid interpretation rules in case of price discrepancy (e.g missing unit price, decimal error, etc.)

B7

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION  
BID TO THE DEPARTMENT OF TRANSPORTATION  
DES-OE-0102.1 (REV 3/2008)

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CONTRACT NO. 03 - 1E0414

NAME OF BIDDER R&L BROSAMER, INC.

BUSINESS P.O. BOX \_\_\_\_\_

CITY, STATE, ZIP \_\_\_\_\_

BUSINESS STREET ADDRESS 1777 OAKLAND BLVD., STE 300  
(Include Room / P.O. Box used)

CITY, STATE, ZIP WALNUT CREEK, CA 94596

TELEPHONE NO: AREA CODE ( ) 925-627-1700

FAX NO: AREA CODE ( ) 925-944-9860

CONTRACTOR LICENSE NO. 700218

1. Bidder agrees, if this bid is accepted, to enter into a contract with the Department, in the form included in the Standard Specifications, to perform the work provided in the Contract under the terms of the Contract for the price or prices bid.

For a lump sum or unit price based bid, Bidder additionally agrees to perform the work within the number of working days specified in the Notice to Bidders.

For a cost plus time based bid on a contract without a plant establishment period, Bidder additionally agrees to perform the work within the number of working days bid.

For a cost plus time based bid on a contract with a plant establishment period, Bidder additionally agrees to perform the non-plant establishment work within the number of working days bid for non-plant establishment work.

2. For a lump sum based bid, Bidder submits this bid with a total price in the total bid space provided in the Bid Item List. For a unit price or cost plus time based bid, Bidder submits this bid with a unit price and the item total (the product of the unit price and the quantity) for each item and a total price (the sum of the item totals) in the spaces provided on the attached Bid Item List. Additionally, for a cost plus time based bid, the Bidder submits this bid with working days bid for non-plant establishment work, total bid for time, and total bid for bid comparison in the spaces provided on the Bid Item List. Bidder agrees:

2.1. If a discrepancy between the unit price and the item total exists, the unit price prevails, except:

2.1.1. If the unit price is illegible, omitted, or the same as the item total, item total prevails and the unit price is the quotient of the item total and the quantity.

2.1.2. If a decimal error is apparent in the product of the unit price and the quantity, the Department will use either the unit price or item total based on the closest by percentage to the unit price or item total in the Department's Final Estimate.

2.2. If the unit price and the item total are illegible or are omitted, the bid may be determined nonresponsive. If a lump sum total price is illegible or is omitted, the bid may be determined nonresponsive.

2.3. Bids on lump sum items are item totals. If a unit price for a lump sum item is entered and it differs from the item total, the item total prevails.

2.4. Entries are to be expressed in dollars or decimal fractions of a dollar. Symbols such as commas and dollar signs are ignored and have no significance in establishing unit price or item total.

2.5. Unit prices and item totals are interpreted by the number of digits and decimal placement.

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Contract No. 03-1E0414  
1

# Completing the Bid – Page 2

## Page 2 is the Signature Page

- Acknowledge addenda
- Indicate type of bid security included
- Sign and date bid
- Legibly print or type name and title of person signing
- Late bids are not accepted

R&L Brosamer, Inc.

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION  
BID TO THE DEPARTMENT OF TRANSPORTATION  
DES-06-0102.1 (REV 3/2008)

2.6. For a lump sum based bid, the item total is the bid amount the Department uses for bid comparison.  
For a unit price based bid, the sum of the item totals is the bid amount the Department uses for bid comparison.  
For a cost plus time based bid, the sum of the item totals and the total bid for time is the bid amount the Department uses for bid comparison.

2.7. The Department's decision on the bid amount is final.

3. Bidder has and acknowledges the following addenda:  
1, 2, 3

4. Bidder submits this bid with one of the following forms of bidder's security equal to at least 10 percent of the bid:  
Cash \$ \_\_\_\_\_ Cashiers Check, Certified Check, Bidder's Bond ☒

5. Bidder's signature is an affirmation of the included certifications. Bidder is cautioned that making a false certification may result in one or more of the following:

5.1. Criminal prosecution  
5.2. Rejection of the bid  
5.3. Rescission of the award  
5.4. Termination of the Contract

BY (Typed Signature) Brian S. Stopper DATE SIGNED (DD/MM/YY) 11/19/08  
PRINTED NAME AND TITLE OF PERSON SIGNING  
BRIAN S. STOPPER, PRESIDENT

ADA Notice For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 654-6410 or TDD (916) 654-3880 or write Records and Forms Management, 1120 N Street, MS-89, Sacramento, CA 95814.

Contract No. 03-1E0414  
2



# Completing the Bid – Item Pages

Note the fully completed, legible example

- Legibly complete all unit prices and extensions
- Use large figures
- Remember decimals
- Avoid bidding to the penny if possible
- Keep figures within the columns
- Omit dollar symbols (\$)

A-2

**BID ITEM LIST**  
**06-0J4204**

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
1	074016	CONSTRUCTION SITE MANAGEMENT	LS	LUMP SUM	LUMP SUM	2000.-
2	074017	PREPARE WATER POLLUTION CONTROL PROGRAM	LS	LUMP SUM	LUMP SUM	515.-
3	074041	STREET SWEEPING	LS	LUMP SUM	LUMP SUM	30000.-
4	074042	TEMPORARY CONCRETE WASHOUT (PORTABLE)	LS	LUMP SUM	LUMP SUM	5000.-
5	120090	CONSTRUCTION AREA SIGNS	LS	LUMP SUM	LUMP SUM	1800.-
6	120100	TRAFFIC CONTROL SYSTEM	LS	LUMP SUM	LUMP SUM	22200.-
7	128650	PORTABLE CHANGEABLE MESSAGE SIGN	LS	LUMP SUM	LUMP SUM	12000.-
8	150715	REMOVE THERMOPLASTIC PAVEMENT MARKING	SQFT	250	9.-	2250
9	190110	LEAD COMPLIANCE PLAN	LS	LUMP SUM	LUMP SUM	2000.-
10	374002	ASPHALTIC EMULSION (FOG SEAL COAT)	TON	33	400.-	13200.-
11	390095	REPLACE ASPHALT CONCRETE SURFACING	CY	19	1500.-	28500.-
12	401108	REPLACE CONCRETE PAVEMENT (RAPID STRENGTH CONCRETE)	CY	740	795.-	588300.-
13	420201	GRIND EXISTING CONCRETE PAVEMENT	SQYD	454,000	3.95	1793300.-
14	840504	4" THERMOPLASTIC TRAFFIC STRIPE	LF	236,000	0.25	59000.-
15	840506	8" THERMOPLASTIC TRAFFIC STRIPE	LF	10,700	0.75	8025.-
16	840515	THERMOPLASTIC PAVEMENT MARKING	SQFT	1,870	3.-	5610.-
17	840525	4" THERMOPLASTIC TRAFFIC STRIPE (BROKEN 36-12)	LF	216,000	0.18	38880.-
18	840526	4" THERMOPLASTIC TRAFFIC STRIPE (BROKEN 17-7)	LF	1,990	0.30	597.-
19	850111	PAVEMENT MARKER (RETROREFLECTIVE)	EA	7,880	2.40	18912.-
20	860090	MAINTAINING EXISTING TRAFFIC MANAGEMENT SYSTEM ELEMENTS DURING CONSTRUCTION	LS	LUMP SUM	LUMP SUM	1500.-

TOTAL BID:

\$ 2,833,389.-

Contract No. 06-0J4204  
3



# Completing the Bid – Item Pages

- Make edits neatly
- Use black or dark blue ball point pen
- Check your math
- If you submit a recreated item page (e.g. from a spreadsheet), it must include the same information as the original form

C2  
GIC

**BID ITEM LIST**  
**07-2Y4804**

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
1	074016	CONSTRUCTION SITE MANAGEMENT	LS	LUMP SUM	LUMP SUM	1,000.00
2	074017	PREPARE WATER POLLUTION CONTROL PROGRAM	LS	LUMP SUM	LUMP SUM	2,500.00
3	074041	STREET SWEEPING	LS	LUMP SUM	LUMP SUM	25,000.00
4	120090	CONSTRUCTION AREA SIGNS	LS	LUMP SUM	LUMP SUM	10,000.00
5	120100	TRAFFIC CONTROL SYSTEM	LS	LUMP SUM	LUMP SUM	225,000.00
6	150704	REMOVE YELLOW THERMOPLASTIC TRAFFIC STRIPE	LF	16,700	0.20	3,340.00
7	153103	COLD PLANE ASPHALT CONCRETE PAVEMENT	SQYD	74,000	2.00	148,000.00
8	015223	LEAD COMPLIANCE PLAN (STRIPE REMOVAL)	LS	LUMP SUM	LUMP SUM	1,000.00
9	390137	RUBBERIZED HOT MIX ASPHALT (GAP GRADED)	TON	5,000	85.00	425,000.00
10	840504	4" THERMOPLASTIC TRAFFIC STRIPE	LF	53,400	0.40	21,360.00
11	840506	8" THERMOPLASTIC TRAFFIC STRIPE	LF	7,130	0.70	4,991.00
12	840515	THERMOPLASTIC PAVEMENT MARKING	SQFT	5,220	3.50	18,270.00
13	840525	4" THERMOPLASTIC TRAFFIC STRIPE (BROKEN 36-12)	LF	6,760	0.50	3,380.00
14	850101	PAVEMENT MARKER (NON-REFLECTIVE)	EA	640	2.00	1,280.00
15	850111	PAVEMENT MARKER (RETROREFLECTIVE)	EA	1,500	4.00	5,840.00
16	860090	MAINTAINING EXISTING TRAFFIC MANAGEMENT SYSTEM ELEMENTS DURING CONSTRUCTION	LS	LUMP SUM	LUMP SUM	500.00
17	861088	MODIFY RAMP METERING SYSTEM	LS	LUMP SUM	LUMP SUM	39,000.00
18	861502	MODIFY SIGNAL	LS	LUMP SUM	LUMP SUM	9,000.00
19	999990	MOBILIZATION	LS	LUMP SUM	LUMP SUM	4,500.00
						90,000.00
<b>TOTAL BID:</b>						<b>\$1,034,461.00</b>
						<b>\$1,022,961.00</b>

Contract No. 07-2Y4804  
3

# Completing the Bid – Item Pages

- Note the blank bid item
- Failure to complete an item renders the bid non-responsive.

B1  
B/C

**BID ITEM LIST**  
**07-1M4104**

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
1	074016	CONSTRUCTION SITE MANAGEMENT	LS	LUMP SUM	LUMP SUM	\$ 850.00
2	074017	PREPARE WATER POLLUTION CONTROL PROGRAM	LS	LUMP SUM	LUMP SUM	\$ 850.00
3	074041	STREET SWEEPING	LS	LUMP SUM	LUMP SUM	\$ 1,100.00
4	075090	CONSTRUCTION AREA SIGNS	LS	LUMP SUM	LUMP SUM	\$ 10,600.00
5	120100	TRAFFIC CONTROL SYSTEM	LS	LUMP SUM	LUMP SUM	\$ 53,181.00
6	511118	CLEAN EXPANSION JOINT	LF	4,469	\$ 15.00	\$ 67,035.00
7	519081	JOINT SEAL (MR 1/2")	LF	151	\$ 44.00	\$ 6,644.00
8	519088	JOINT SEAL (MR 1")	LF	1,767	\$ 37.00	\$ 65,379.00
9	519091	JOINT SEAL (MR 1 1/2")	LF	1,007	\$ 55.00	\$ 55,385.00
10	519100	JOINT SEAL (MR 2")	LF	1,544	\$ 49.00	\$ 121,976.00
11	999990	MOBILIZATION	LS	LUMP SUM	LUMP SUM	

**TOTAL BID:** \$ 410,000.00

B3

Contract No. 07-1M4104  
3

# Completing the Bid – Item Pages

- Note the messy example.
- Do not:
  - round item totals
  - write in lump sum boxes
  - change quantities or units
  - make stipulations or conditions on your bid
  - Staple or tape addenda replacement page over the old page. (Remove the old page and insert the addenda page)

B-10

**BID ITEM LIST**  
01-463504

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
1	074016	CONSTRUCTION SITE MANAGEMENT	LS	LUMP SUM	LUMP SUM	16,740.00
2	074017	PREPARE WATER POLLUTION CONTROL PROGRAM	LS	LUMP SUM	LUMP SUM	556.20
3	074032	TEMPORARY CONCRETE WASHOUT FACILITY	EA	1	918.00	918.00
4	153103	COLD PLANE ASPHALT CONCRETE PAVEMENT	SQYD	340	11.38	3869.20
5	015438	REMOVE CONCRETE (GUTTER)	LF	77	37.80	2910.60
6	190101	ROADWAY EXCAVATION	CY	210	50.75	10657.50
7	198001	IMPORTED BORROW	TON	250	49.68	12420.00
8	260201	CLASS 2 AGGREGATE BASE	CY	36	124.20	4471.20
9	390136	MINOR HOT MIX ASPHALT	TON	150	150.00	22500.00
10	394090	PLACE HOT MIX ASPHALT (MISCELLANEOUS AREA)	SQYD	18	43.20	777.60
11	731517	MINOR CONCRETE (GUTTER)	CY	6	579.79	3478.56
12	015439	PAINTED STALL LINE (2-COAT)	LF	180	6.51	1172.28
13	994650	BUILDING WORK	LS	LUMP SUM	LUMP SUM	457,314.00
<b>TOTAL BID:</b>						<b>538,337.29</b>

\$538,336.94

Contract No. 01-463504  
3

# Completing the Bid – Subcontractor Listing

- **Public Contract Code 4104 requires listing of subcontractors with the bid**
  - performing at least ½ of 1 percent of the bid total or \$10,000, whichever is greater
  - It is not necessary to list suppliers
- The form must include subcontractor names, cities & items
- For partial items, write “partial” and include work description
- Group items by firm

Jan 07 09 12:48p Gallino Construction 530 246 8714 p.1

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
SUBCONTRACTOR LIST  
DES-OL 6102.2 (REV 3/2008)

Bidder Name: [REDACTED]

Bidder must identify subcontractors performing work in an amount in excess of 1/2 of 1 percent of the total bid or \$10,000, whichever is greater. (Pub. Cont. Code § 4100 et seq.)

Name and Address	Item No.(s)	Percent of Bid Item Subcontracted *	Description of Subcontracted Work
Mercer-Fraser/Eureka	6	92.6	Roadway Excavation
Mercer-Fraser/Eureka	7	92.6	Imported Borrow
Mercer-Fraser/Eureka	9	92.6	Minor Hot Mix Asphalt
Mercer-Fraser/Eureka	13	4.4	Sitework
B&T Masonry/Redding	13	8.7	Masonry
Ark Design/Palo Cedro	13	5.8	Roofing/Sheetmetal flashing
Hardware Tech/Santa Rosa	13	3.0	Doors/Windows
Flooring Solutions/Redding	13	2.7	Flooring
Ray-Mac/Mc. Shasta	13	3.7	HVAC
CANCO Construction Electric/Redding	13	7.0	Electrical
Walgamuth/Redding	13	2.0	Painting

\* If not submitted with this bid, fax the percent of each bid item subcontracted by no later than 24 hours after bid opening to (916) 227-6267

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Contract No. 01-463504  
4

# Completing the Bid – Subcontractor Listing

- Messy example
- Note bidder did not include description of partial work
- Failure to list a subcontractor or listing two subcontractors for the same work means the bidder agrees to perform the work
- Bidders are not allowed to change the subcontractor listing after bid opening except in case of a listing error (PCC 4107 et seq.)

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION  
SUBCONTRACTOR LIST  
DES-OE-0102.2 (REV. 3/2009)

Bidder must identify subcontractors performing work in an amount in excess of 1/2 of 1 percent of the total bid or \$10,000, whichever is greater. (Pub. Cont. Code § 4100 et seq.)

Name and Address	Item No. (s)	Percent of Bid Item Subcontracted *	Description of Subcontracted Work
D.V.B.E. Trucking San Jose	21-27 (Partial)		
Globe env.	1+2+22		
Mountain Valley			
K.R.S. Saffery	7-13		
Visiter	14-19		
Bentham Court Bros.	35		
Livermore	11		
C.W. <del>Co.</del> Coy	24		
Spearties			
Choirs Co.	36		
Broomington	37		

\* If not submitted with the bid, fax the percent of each bid item subcontracted by no later than 24 hours after bid opening to (916) 227-6282.

ADA Notice: For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 654-6410 or TDD (916) 654-3880 or write Records and Forms Management, 1120 N Street, MS-89, Sacramento, CA 95814.

Contract No. 05-0L2304  
5



# Completing the Bid – Subcontractor Listing

- Messy subcontractor list
- Bidder must specify percentages for partial items
- Percentages are the amount of the bid item subcontracted divided by the bid item total
- Fax percentages to (916) 227-6282 within 24 hours of bid opening.
- Late submittals not accepted

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
SUBCONTRACTOR LIST  
DES-OE-0102.2 (REV 3/2008)

Bidder Name \_\_\_\_\_

Bidder must identify subcontractors performing work in an amount in excess of 1/2 of 1 percent of the total bid or \$10,000, whichever is greater. (Pub Cont Code § 4100 et seq.)

Name and Address	Item No. (s)	Percent of Bid Item Subcontracted *	Description of Subcontracted Work
Parholl Company Sacramento, CA	partial various	1.10%	grooving - partial
T&D Environmental Services Rancho Santa Margarita, CA	43 partial	4.10%	lead abatement hauling disposal - partial
Neil O. Anderson ASAC Sacramento, CA	partial 51	0.16%	QA/QC partial
Western Oil & Greasing Sacramento, CA	various	0.16%	oil spreading
Chrisp Company Bloomington, CA	14, 16, 27 28, 44, 111, 114, 113	0.75%	partial striping
Thomas & Pratts Highway Structures Vallejo, CA	13	1.0%	traffic control - partial
M&J Water Inc. Vallejo	60	1.0%	minor concrete - partial
M&M Electric Inc. Sacramento	114, 115, 116 117	2.5%	electrical - partial
Aerco Pacific - Rancho Cordova	47, 50, 51	1.0%	landscape, irrigation - partial
E-C Meyers - Rancho Cordova	10, 13, 119	6.1%	rapid set concrete barriers
MBI - Stockton	various	22.0%	MEGR, concrete barrier highway signs - partial

Contract No. 03-1E0414  
10

# Completing the Bid – Request for Small Business Preference

- State-funded contracts only
- If you are a California certified Small Business - request the Small Business Preference
- Do not request the Non-Small Business Preference
- Attach copy of your certification or write in your certification number
- Sign and submit form and certification with the bid
- No preference allowed if the completed form is not submitted with the bid

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION  
REQUEST FOR SMALL BUSINESS PREFERENCE OR NON-SMALL BUSINESS PREFERENCE  
DES-GE-0102.7 (REV 3/2008)

CONTRACT NO. 05-0L2304

**Small Business Preference**

The undersigned requests small business preference and certifies, under penalty of perjury, that the firm meets the requirements of 2 CA Code of Regs § 1896 et seq. and is certified as a small business at the time and day of bid opening or has applied for certification and is subsequently certified by the Department of General Services. To further verify its small business status, the undersigned attaches a copy of its small business certification letter.

Date: 12/15/08  
Federal Tax ID Number: 84-1726091 Signature: [Signature]

**Non-Small Business Preference**

The undersigned requests non-small business preference and notifies the Department on the Certified Small Business Listing for the Non-Small Business Preference form that it commits to subcontract at least 25 percent of its bid amount with one or more firms that meet the requirements of 2 CA Code of Regs § 1896 et seq. and the firms are certified as small businesses at the time and day of bid opening or have applied for certification and are subsequently certified by the Department of General Services. List these firms on the Certified Small Business Listing for the Non-Small Business Preference form.

Date: \_\_\_\_\_  
Federal Tax ID Number: \_\_\_\_\_ Signature: \_\_\_\_\_

*See Cert in Back of Book*

**Cruco Construction Group**  
2443 Foundry Park Ave  
Fresno, CA 93706  
Tel- 559-498-3639  
Fax- 559-498-3527

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Contract No. 05-0L2304  
6



# Completing the Bid – Request for Non-Small Business Preference

- State funded contracts only
- If you are not a small business, but commit to using at least 25% California certified small businesses, request the non-small business preference
- Do not request the small business preference
- Sign and submit the form with the bid
- No preference allowed if the completed form is not submitted with the bid

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION  
REQUEST FOR SMALL BUSINESS PREFERENCE OR NON-SMALL BUSINESS PREFERENCE  
DES-0E-0102.7 (REV 3/2008)

CONTRACT NO. 04-0E7604

**Small Business Preference**

The undersigned requests small business preference and certifies, under penalty of perjury, that the firm meets the requirements of 2 CA Code of Regs § 1896 et seq. and is certified as a small business at the time and day of bid opening or has applied for certification and is subsequently certified by the Department of General Services. To further verify its small business status, the undersigned attaches a copy of its small business certification letter.

Date: \_\_\_\_\_  
Federal Tax ID Number: \_\_\_\_\_ Signature: \_\_\_\_\_

**Non-Small Business Preference**

The undersigned requests non-small business preference and notifies the Department on the Certified Small Business Listing for the Non-Small Business Preference form that it commits to subcontract at least 25 percent of its bid amount with one or more firms that meets the requirements of 2 CA Code of Regs § 1896 et seq. and the firms are certified as small businesses at the time and day of bid opening or have applied for certification and are subsequently certified by the Department of General Services. List these firms on the Certified Small Business Listing for the Non-Small Business Preference form.

Date: 1/7/09  
Federal Tax ID Number: 33-0349226 Signature: [Signature]

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Contract No. 04-0E7604  
6

# Completing the Bid – Request for Non-Small Business Preference

- Complete and sign the form.
- Mail the list of certified small business subcontractors so it is received within 2 business days of bid opening
- Faxes not accepted
- No preference given if form is received late
- A request for the non-small business preference can not displace a small business from the contract award

Low Bidder

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION  
**CERTIFIED SMALL BUSINESS LISTING FOR THE NON-SMALL BUSINESS PREFERENCE**  
DES-06-0102.8 (REV 3/2008)

BIDDER NAME PENHALL CO. CONTRACT NO. 04-0E7604

List the description of work, name, telephone number, certification number, and dollar amount of each certified small business who will be employed on this project. Failure to provide this information may be cause for denial of the non-small business subcontractor preference. Attach additional sheets if necessary.

Bid Item Number	Description of Work, Service, or Materials	Certified Small Business (Name, Telephone No., and Certification No.)	\$ Amount
20	FURNISH DECK TREATMENT MATL	Kwik Bond Polymers (707) 746-7981 CERT. # 25237	\$ 220,780.-

GARY BUSH  
(Print Name of Bidder)  
 (510) 357-8810  
(Area Code) Telephone Number

Total Claimed Participation \$ 220,780.-  
25.5 % of Contract

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Contract No. 04-0E7604  
 12

# Completing the Bid – California Company Preference

- State funded contracts only
- Select one of the California Company options or
- Select the non-California Company option
- Date and sign the form
- Submit the form with the bid
- No preference given if form is received late

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION  
CALIFORNIA COMPANY PREFERENCE  
DES-CE-0102.9 (REV. 3/2008)

This form must be completed and signed by all bidders. Failure of a non-California company to fill out and sign this form may cause for rejection of its bid. Eligibility for a reciprocal preference for a California company is waived if the California company fails to complete and sign this form under penalty of perjury.

The undersigned certifies that it is a "California company" as defined in Pub Cont Code § 6107 and meets one of the following (check appropriate box and enter requested information):

☒ I am a California company which has its principal place of business in California.

or

☐ I am a California company which has its principal place of business in a state in which there is no local contractor preference on construction contracts.

Name of State: \_\_\_\_\_

or

☐ I am a California company which has its principal place of business in a state in which there is a local contractor preference and my company has paid not less than \$5,000 in sales or use taxes to California for construction related activity for each of the 5 years immediately preceding the submission of the bid.

Name of State: \_\_\_\_\_

California Sales or Use Tax No.: \_\_\_\_\_

or

The undersigned certifies that it is not a "California company." (Check box and enter requested information.)

☐ I am not a California company. My principal place of business is in \_\_\_\_\_ (Enter state or country)

Describe any and all bid preferences provided to your company by the state or country in which your company has its principal place of business. (Attach additional sheets if necessary.)

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 12/15/08 Signature of Bidder: [Signature]

**Crucio Construction Group**  
2143 Foundry Park Ave  
Fresno, CA 93706  
Tel: 559-498-3639  
Fax: 559-498-3527

Contract No. 05-0L2304  
7

# Bid Security

- A bid security in the amount of at least 10% of the bid is required with the bid
- Acceptable forms of bid security are:
  - A bid bond from a CA admitted surety
  - Cashier's or Certified Check
  - Cash (not recommended)
- Letters of credit or personal guarantees are not accepted

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
BIDDER'S BOND  
DES-06-0102.3 (REV 5/2006)

Contract No. N/A  
Bond No. N/A

We Beador Construction Company, Inc.  
as Principal, and  
Fidelity and Deposit Company of Maryland  
as Surety are bound unto the State of California, Department of Transportation, hereafter referred to as "Obligee", in the penal sum of ten percent (10%) of the total amount of the bid of the Principal submitted to the Obligee for the work described below, for the payment of which sum we bind ourselves, jointly and severally.

THE CONDITION OF THIS OBLIGATION IS SUCH, THAT:

WHEREAS, the Principal is submitting a bid to the Obligee, for construction on state highway in San Bernardino County on Route 15 in and near Hesperia  
for which bids are to be opened at: Office of Procurement and Contracts, 3337 Michelson Drive, Suite 380, Irvine, CA 92612 on December 18, 2008  
(insert date of bid opening)

NOW, THEREFORE, if the Principal is awarded the contract and, within the time and manner required under the specifications, after the prescribed forms are presented to him for signature, enters into a written contract, in the prescribed form, in accordance with the bid, and files two bonds with the Obligee, one to guarantee faithful performance (if specified in the contract) of the contract and the other to guarantee payment for labor and materials as provided by law, then this obligation shall be null and void; otherwise, it shall remain in full force.

In the event a suit is brought upon this bond by the Obligee and judgment is recovered, the Surety shall pay all costs incurred by the Obligee in such suit, including a reasonable attorney's fee to be fixed by the court.

Dated: December 12, 2008

Correspondence or claims relating to this bond should be sent to the surety at the following address:  
801 North Brand Boulevard  
Penthouse Suite  
Glendale, CA 91203

Beador Construction Company, Inc.  
Principal  
Fidelity and Deposit Company of Maryland  
By Edward N. Hackett  
Attorney-in-Fact

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT  
(Please See Attached.)

State of California }  
County of \_\_\_\_\_ }  
On this \_\_\_\_\_ day before me, \_\_\_\_\_  
personally appeared \_\_\_\_\_  
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

(SEAL) Signature \_\_\_\_\_  
Signature of Notary Public

ADA Notice For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 654-6410 or TDD (916) 654-9890 or write Records and Forms Management, 1120 N Street, MS-98, Sacramento, CA 95834.

Contract No. 08-0K7604  
7



# Bid Security

- Complete and sign the bond form. Surety to sign and seal bond form.
- Notarize bond form or attach all purpose acknowledgement
- Cashier's or certified checks are held for the three low bidders until contract approval
- Other bidders' checks are returned after bid verification
- Failure to submit proper bid security renders the bid non-responsive

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
**BIDDER'S BOND**  
 DES-06-0102.3 (REV 5/2006)

Contract No. N/A  
 Bond No. N/A

We Beador Construction Company, Inc.  
Fidelity and Deposit Company of Maryland as Principal, and

as Surety are bound unto the State of California, Department of Transportation, hereafter referred to as "Obligee", in the penal sum of ten percent (10%) of the total amount of the bid of the Principal submitted to the Obligee for the work described below, for the payment of which sum we bind ourselves, jointly and severally.

THE CONDITION OF THIS OBLIGATION IS SUCH, THAT:

WHEREAS, the Principal is submitting a bid to the Obligee, for construction on state highway in San Bernardino County on Route 15 in and near Hesperia  
 for which bids are to be opened at Office of Procurement and Contracts, 3337 Michelson Drive, Suite 380, Irvine, CA 92612 on December 18, 2008  
 (insert place where bids will be opened) (insert date of bid opening)

NOTWITHSTANDING, if the Principal is awarded the contract and, within the time and manner required under the specifications, when the prescribed forms are presented to him for signature, enters into a written contract, in the prescribed form, in accordance with the bid, and files two bonds with the Obligee, one to guarantee faithful performance (if specified in the contract) of the contract and the other to guarantee payment for labor and materials as provided by law, then this obligation shall be null and void; otherwise, it shall remain in full force.

In the event a suit is brought against this bond by the Obligee and judgment is recovered, the Surety shall pay all costs incurred by the Obligee in such suit, including a reasonable attorney's fee to be fixed by the court.

Dated: December 12, 2008

Correspondence or claims relating to this bond should be sent to the surety at the following address:  
801 North Brand Boulevard  
Penthouse Suite  
Glendale, CA 91203

Beador Construction Company, Inc.  
Principal  
Fidelity and Deposit Company of Maryland  
 By Edward N. Hackett  
 Attorney-in-Fact

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT  
 (Please See Attached.)

State of California }  
 County of \_\_\_\_\_ }  
 On this \_\_\_\_\_ day \_\_\_\_\_ before me, \_\_\_\_\_  
 personally appeared \_\_\_\_\_  
 Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

(SEAL) Signature \_\_\_\_\_  
 Signature of Notary Public

ADA Notice For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 654-6410 or TDD (916) 654-9886 or write Records and Forms Management, 1120 N Street, MS-88, Sacramento, CA 95834.

Contract No. 08-0K7604  
 7

# Certified DVBE Summary

- State funded contracts only
- Complete and sign form
- List all certified DVBE subcontractors and suppliers, regardless of tier
- Include DVBE Information - Good Faith Efforts forms
- Submit with bid or by fourth business day after bid opening.
- Faxes not accepted
- Late Certified DVBE Summary forms render the bid non-responsive
- Late DVBE Good Faith Efforts forms not accepted

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
**CERTIFIED DVBE SUMMARY**  
 DES-GE 0102.5 (REV 3/2005)

DISTRICT/COUNTY/ROUTE: 04 - SCL - VAN  
 CONTRACT NO.: 04-0E7604  
 TOTAL BID: 1,356,879.00  
 BID OPENING DATE: January 7, 2007  
 BIDDER'S NAME: Bay Line Cutting & Coring Inc.

DVBE PRIME CONTRACTOR CERTIFICATION \*

Bid Item Number	Description of Work to Be Subcontracted to DVBE or Materials to Be Supplied by DVBE *	For Caltrans Only	DVBE (Name, Telephone No., and Certification No.)	\$ Amount
1	Construction site Management.		Titan	400.00
2	Prepare water Pollution Control Program.		Titan	700.00
6	PCMS		Titan	11,000.00
15	Purchase Reqt for Concrete		Titan	58,000.00
Total Claimed Participation				\$ 70,100.00
				5 %

Names of first tier DVBE subcontractors and their items of work listed must be consistent with the names and items of work in the Subcontractor List (Pub Cost Code § 4100 et seq.) submitted with the bid. Identify second and lower tier subcontractors on this form.

1. DVBE prime contractors must enter their DVBE reference number or their DBA name as listed with Department of General Services. DVBE prime contractors are certified with 100 percent DVBE participation and need not complete the above table.  
 2. If 100% of an item is not performed or supplied by the DVBE's, describe the exact part, including the planned location of work to be performed, of item to be performed or supplied by DVBE.

Submit to:  
 MSC 43  
 OFFICE ENGINEER  
 DEPARTMENT OF TRANSPORTATION  
 1727 30TH STREET  
 SACRAMENTO, CA 95816-7005

Signature of Bidder: *[Signature]* Date: 1-7-07  
 (Area Code) Telephone Number: (510) 420-8992  
 Contact Person: Juan C. Arreguin (Type or Print)

ADA Notice: For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 654-6410 or TDD (916) 654-3880 or write Records and Forms Management, 1120 N Street, MS-09, Sacramento, CA 95814.

Contract No. 04-0E7604  
 9

# Small Business Status

- Federal aid contracts only
- Voluntary information
- Please complete and submit the form with the bid

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
**SMALL BUSINESS STATUS**  
DES-06-0102.4 (REV. 3/2008)

CONTRACT NO. 01-474104

Are you certified as a "Small Business" by the Office of Small Business and DVBE Services of the Department of General Services of the State of California? Check one:

☒ Yes: Certification number? 0013681 ☐ No

Note: This small business questionnaire is included for statistical reporting only.

ADA Notice: For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 654-6410 or TDD (916) 654-3880 or write Records and Forms Management, 1120 N Street, MS-85, Sacramento, CA 95814.

Contract No. 01-474104  
8



# DBE Information

- Federal aid contracts only
- No contract DBE goal or good faith efforts required until further notice
- DBE Information form sent to the low bidder after contract award
- Bidder returns DBE Information form with executed contract documents

**CALTRANS BIDDER - DBE - INFORMATION**  
The successful bidder must execute and return the CALTRANS BIDDER - DBE INFORMATION form, even if no DBE participation will be reported. See Section 3, "Award and Execution of Contract".

DISTRICT - CONTRACT NO.: 03-YolSac-80,50-0.073.21.0.0/5.4;9.1/9.5 **03-1E0414**  
BIDDERS NAME: DESILVA GATES CONSTRUCTION

BID AMOUNT: **\$27,946,047.00** *Low Bidder*

DBE PRIME UCP CERTIFICATION NO. 1: **N/A**

Contract Item No.	Item of Work and Description of Services to be Subcontracted or Materials to be provided <sup>2</sup>	For Caltrans Use Only	Name of DBEs (Include CUCP Certification number, address and phone number. Also provide copies of quotes)	Dollar Amount DBE <sup>3</sup>
12,29,30, 68,71,93, 94,95,96	CONSTRUCTION AREA SIGNS & ROADSIDE SIGNS	<b>5530</b> <i>current</i>	E D SAFETY SERVICES 1428 MADISON AVENUE TRACY, CA 95376 (209) 931-0309 CT-005530	\$16,854.00
119,120(P)	REPLACE CONCRETE PAVEMENT (RAPID STRENGTH CONCRETE)	<b>29394</b> <i>current</i>	R.E. SERRANO, INC. 3430 PACHECO BLVD. MARTINEZ, CA 94553 (925) 957-8184 CT-029324	\$1,389,750.00

APPROVED DBE PARTICIPATION  
*Michael A. Kloos*  
CONTRACT EVALUATION MANAGER  
DATE: **JAN 9 2009**

RECEIVED  
09 JAN -9 PM 11:52

Important: Identify all DBE firms participating in the project, regardless of tier. Names of the First Tier DBE Subcontractors and their respective item(s) of work listed above should be consistent, where applicable, with the names and items of work in the "List of Subcontractors" submitted with your bid. Provide copies of the DBEs' quotes, and if applicable, a copy of joint venture agreements.

1. A DBE prime contractor should enter its DBE certification number, and indicate all work to be performed by DBEs including work performed by its own forces.  
2. If 100% of item is not to be performed or furnished by DBE, describe exact portion of item to be performed or furnished by DBE.  
3. See Section 2-1.02, "Disadvantaged Business Enterprise (DBE)," to determine how to count the participation of DBE firms.

Total Claimed Participation **\$ 1,406,604.00**  
5.0 %

*Michael A. Kloos*  
Signature of Bidder

1/08/09 (925) 829-9220  
Date (Area Code) Tel. No

MICHAEL A. KLOOS, VICE PRESIDENT  
Person to Contact (Please Type or Print)

# Certifications – Lobbying Disclosure

- Federal aid contracts only
- Read Federal Aid Projects Disclosure of Lobbying Activities Certification

CONTRACT NO. 04-1123J4

## CERTIFICATIONS

### FEDERAL-AID PROJECTS DISCLOSURE OF LOBBYING ACTIVITIES CERTIFICATION

Bidder certifies, to the best of his or her knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form LLL, "Disclosure of Lobbying Activities," in conformance with its instructions.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 USC § 1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Bidder also agrees by submitting a bid that it must require the language of this certification be included in subcontracts over \$100,000 and these subcontractors shall certify and disclose.

Contract No. 04-1123J4

# Certifications – Lobbying Disclosure Form Instructions

- Federal aid contracts only
- If your company employs a lobbyist, read the disclosure form instructions

## INSTRUCTIONS FOR COMPLETION OF SF-LLL DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence, the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a followup report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last, previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, State and zip code of the reporting entity. Include Congressional District if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee," then enter the full name, address, city, State and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitments for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, State and zip code of the lobbying registrant under the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in item 4 to influence the covered Federal action.  
(b) Enter the full names of the individual(s) performing services and include full address if different from 10(a). Enter Last Name, First Name, and Middle Initial (MI).
11. The certifying official shall sign and date the form, print his/her name title, and telephone number.

According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB Control Number. The valid OMB control number for this information collection is OMB No. 0348-0046. Public reporting burden for this collection of information is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, DC 20503.

# Certifications – Disclosure of Lobbying Activities

- Federal aid contracts only
- If your company employs a lobbyist, complete and sign the form.
- Submit the form with the bid.

**DISCLOSURE OF LOBBYING ACTIVITIES**  
Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352

Approved by OMB  
0348-0046

<b>1. Type of Federal Action:</b> <input type="checkbox"/> a. contract <input type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance	<b>2. Status of Federal Action:</b> <input type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award	<b>3. Report Type:</b> <input type="checkbox"/> a. initial <input type="checkbox"/> b. material change For Material Change Only: year _____ quarter _____ date of last report _____
<b>4. Name and Address of Reporting Entity:</b> <input type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, if known Congressional District, if known: _____	<b>5. If Reporting Entity in No. 4 is Subawardee Enter Name and Address of Prime:</b> Congressional District, if known: _____	
<b>6. Federal Department/Agency:</b>	<b>7. Federal Program Name/Description:</b> CFDA Number, if applicable: _____	
<b>8. Federal Action Number, if known:</b>	<b>9. Award Amount, if known:</b> \$ _____	
<b>10 a. Name and Address of Lobby Registrant</b> (if individual, last name, first name, MI):	<b>b. Individuals Performing Services</b> (including address if different from No. 10a) (last name, first name, MI):	
<b>11. Information requested through this form is authorized by Title 31 U.S.C. Section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.</b>		
<b>Federal Use Only:</b>		Signature: _____ Print Name: _____ Title: _____ Telephone No.: _____ Date: _____
		Authorized for Local Reproduction Standard Form - LLL (Rev. 7-97)

# Certifications – EEO & Title 49

- Federal aid contracts only
- Equal Employment Opportunity Regulation Certification
  - Read, insert bidder name, check either “has” or “has not”.
- Title 49 CFR, Part 29, Debarment and Suspension Certification
  - Read form.
  - List exceptions to certification

<p><b>EQUAL EMPLOYMENT OPPORTUNITY REGULATION CERTIFICATION</b></p> <p>Bidder <u>Acme</u>, proposed subcontractor _____, certifies that he has <input type="checkbox"/>, has not <input checked="" type="checkbox"/>, participated in a previous contract or subcontract subject to the equal opportunity clauses, as required by Executive Orders 10925, 11114, or 11246, and that, if required, he has filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance, a Federal Government contracting or administering agency, or the former President's Committee on Equal Employment Opportunity, all reports due under the filing requirements.</p> <p>Notes:</p> <ul style="list-style-type: none"><li>• The above certification is required by the Equal Employment Opportunity Regulations of the Secretary of Labor (41 CFR 60-1.7(b) (1)), and must be submitted by bidders and proposed subcontractors only in connection with contracts and subcontracts which are subject to the equal opportunity clause. Contracts and subcontracts which are exempt from the equal opportunity clause are set forth in 41 CFR 60-1.5. (Generally only contracts or subcontracts of \$10,000 or under are exempt.)</li><li>• Currently, Standard Form 100 (EEO-1) is the only report required by the Executive Orders or their implementing regulations.</li><li>• Prime contractors and subcontractors who have participated in a previous contract or subcontract subject to the Executive Orders and have not filed the required reports should note 41 CFR 60-1.7(b) (1) prevents the award of contracts and subcontracts unless the Contractor submits a report covering the delinquent period or such other period specified by the Federal Highway Administration or by the Director, Office of Federal Contract Compliance, U.S. Department of Labor.</li></ul>
<p><b>TITLE 49, CODE OF FEDERAL REGULATIONS, PART 29, DEBARMENT AND SUSPENSION CERTIFICATION</b></p> <p>Bidder, under penalty of perjury, certifies that, except as noted below, it or any other person associated therewith in the capacity of owner, partner, director, officer, manager:</p> <ul style="list-style-type: none"><li>• is not currently under suspension, debarment, voluntary exclusion, or determination of ineligibility by any federal agency;</li><li>• has not been suspended, debarred, voluntarily excluded or determined ineligible by any federal agency within the past 3 years;</li><li>• does not have a proposed debarment pending; and</li><li>• has not been indicted, convicted, or had a civil judgement rendered against it by a court of competent jurisdiction in any matter involving fraud or official misconduct within the past 3 years.</li></ul> <p>If there are any exceptions to this certification, insert the exceptions in the following space.</p> <p>N/A</p> <p>Exceptions will not necessarily result in denial of award, but will be considered in determining bidder responsibility. For any exception noted above, indicate below to whom it applies, initiating agency, and dates of action.</p>



# Certifications – NLRB, Antitrust and Responsibility

- Read the National Labor Relations Board certification
- Read the Antitrust law certification.
  - Select either “has” or “has not”.
  - If you have been convicted of an antitrust offense, provide details in the space provided or attach a statement

<p><b>NATIONAL LABOR RELATIONS BOARD</b></p> <p>Under Pub Cont Code § 10232, the contractor, swears under penalty of perjury, that no more than one final unappealable finding of contempt of court by a federal court has been issued against the contractor within the immediately preceding two year period because of the contractor's failure to comply with an order of a federal court which orders the contractor to comply with an order of the National Labor Relations Board.</p>
<p><b>ANTITRUST LAW</b></p> <p>Under Pub Con Code § 10285.1, the Bidder declares under penalty of perjury under the laws of the State of California that the Bidder has <input type="checkbox"/> has not <input checked="" type="checkbox"/> been convicted within the preceding three years of any offenses referred to in that section, including <u>charge of fraud, bribery, collusion, conspiracy, or any other act in violation of any state or federal antitrust law in connection with the bidding upon, award of, or performance of, any public works project as defined in Pub Cont Code § 1101, with any public entity, as defined in Pub Cont Code § 1100, including the Regents of the University of California or the Trustees of the California State University. The term "Bidder" includes any partner, member, officer, director, responsible managing officer, or responsible managing employee thereof, as referred to in Section 10285.1.</u></p> <p>If the Bidder has been convicted of an offense within the past 3 years, provide the conviction details including the date and ultimate resolution of each conviction in the space below.</p>
<p><b>BIDDER RESPONSIBILITY QUESTIONNAIRE</b></p> <p>Failure to truthfully answer the following questions will result in a finding that the bid is nonresponsive. The Bidder must complete, under penalty of perjury, the following questionnaire:</p> <ol style="list-style-type: none"><li>1. Within the past 10 years, has the Bidder been found to be a nonresponsive bidder by any public entity, including federal, State, local, or regional entities? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</li><li>2. Within the past 10 years, have any of the Bidder's officers or employees with a proprietary interest in the Bidder been determined to be a nonresponsive bidder by a public entity, including federal, State, local or regional entities? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</li><li>3. Is there any officer or employee of the Bidder who now has or has had any proprietary interest in another company that bid or bids on public works projects whose company has been determined to be a nonresponsive bidder by any public entity, including federal, State, local, or regional entities? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</li><li>4. If the answer to any of the 3 preceding questions is yes, disclose all pertinent details of the determination of nonresponsibility, including:<ol style="list-style-type: none"><li>4.1. Date of each nonresponsibility determination</li><li>4.2. Name of each public agency issuing the nonresponsibility determination and a contact person at that agency who would have information about the determination</li><li>4.3. Contract number for each nonresponsibility determination</li></ol></li></ol>
<p>END CERTIFICATIONS</p> <p>Contract No. 08-0K7604 13</p>

# Certifications – NLRB, Antitrust and Responsibility

- Read the Bidder Responsibility Questionnaire.
  - Select “yes” or “no” for each question
  - If “yes” for any response, attach a statement with details of the non-responsibility determination

**NATIONAL LABOR RELATIONS BOARD**

Under Pub Cont Code § 10232, the contractor, swears under penalty of perjury, that no more than one final unappealable finding of contempt of court by a federal court has been issued against the contractor within the immediately preceding two year period because of the contractor's failure to comply with an order of a federal court which orders the contractor to comply with an order of the National Labor Relations Board.

**ANTITRUST LAW**

Under Pub Con Code § 10285.1, the Bidder declares under penalty of perjury under the laws of the State of California that the Bidder has ☐ has not ☒ been convicted within the preceding three years of any offenses referred to in that section, including any charge of fraud, bribery, collusion, conspiracy, or any other act in violation of any state or federal antitrust law in connection with the bidding upon, award of, or performance of, any public works contract, as defined in Pub Cont Code § 1101, with any public entity, as defined in Pub Cont Code § 1100, including the Regents of the University of California or the Trustees of the California State University. The term "Bidder" includes any partner, member, officer, director, responsible managing officer, or responsible managing employee thereof, as referred to in Section 10285.1. If the Bidder has been convicted of an offense within the past 3 years, provide the conviction details including the date and ultimate resolution of each conviction in the space below.

**BIDDER RESPONSIBILITY QUESTIONNAIRE**

Failure to truthfully answer the following questions will result in a finding that the bid is nonresponsive. The Bidder must complete, under penalty of perjury, the following questionnaire:

1. Within the past 10 years, has the Bidder been found to be a nonresponsive bidder by any public entity, including federal, State, local, or regional entities?  
☐ Yes ☒ No
2. Within the past 10 years, have any of the Bidder's officers or employees with a proprietary interest in the Bidder been determined to be a nonresponsive bidder by a public entity, including federal, State, local or regional entities?  
☐ Yes ☒ No
3. Is there any officer or employee of the Bidder who now has or has had any proprietary interest in another company that bid or bids on public works projects whose company has been determined to be a nonresponsive bidder by any public entity, including federal, State, local, or regional entities?  
☐ Yes ☒ No
4. If the answer to any of the 3 preceding questions is yes, disclose all pertinent details of the determination of nonresponsibility, including:
  - 4.1. Date of each nonresponsibility determination
  - 4.2. Name of each public agency issuing the nonresponsibility determination and a contact person at that agency who would have information about the determination
  - 4.3. Contract number for each nonresponsibility determination

**END CERTIFICATIONS**

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# Helpful Information – Bid Book

- If you disassemble the bid book, put the pages back in order before stapling
- Do not attach addendum
- Do not tape or staple bid bond or DVBE information on inside cover



# Bid Verification & Results

- Your sealed bid will be opened and read publicly.
- After bid opening, all bids are verified and entered into the Bid Opening System
- Illegible bids or non-responsive bids delay bid verification and posting of bid results
- Verified bids posted on the hotline (916-654-5500) about 6 pm after bid opening.
- Bid summaries posted on the Internet ([http://www.dot.ca.gov/hq/esc/oe/awards/bidsum.html/6week\\_list.php](http://www.dot.ca.gov/hq/esc/oe/awards/bidsum.html/6week_list.php)) within two business days after bid opening



# If You've Made A Mistake

- Public Contract Code 5100 et seq. allows bidders to seek relief from their bid in case of an error.
- To qualify for relief, you must have made a mistake in filling out the bid.
- Download the relief of bid form at :  
[http://www.dot.ca.gov/hq/esc/oe/contractor\\_info/relief.pdf](http://www.dot.ca.gov/hq/esc/oe/contractor_info/relief.pdf)
- Follow the instructions on the form
- Fax the completed form and attachments to (916) 227-6282 by 4 pm on the 5<sup>th</sup> business day after bid opening



# Reminder: Bidding Deadlines

<u>Item</u>	<u>Deadline</u>
<b>Bid</b>	<b>2:00 pm on date specified</b>
<b>SB Preference</b>	<b>With your bid</b>
<b>Non SB Preference</b>	<b>With your bid</b>
<b>CC Preference</b>	<b>With your bid</b>
<b>Subcontractor List</b>	<b>With your bid</b>
<b>Subcontractor Percentages</b>	<b>2:00 pm, 1 business day after bid</b>
<b>Subcontractor Substitution</b>	<b>4:00 pm, 2 business days after bid</b>
<b>Cert. SBE List for Non SB Preference</b>	<b>4:00 pm, 2 business days after bid</b>
<b>DVBE Information &amp; Good Faith Efforts</b>	<b>4:00 pm, 4 business days after bid</b>
<b>Relief of Bid Request</b>	<b>4:00 pm, 5 business days after bid</b>

**Thank you for doing business with  
Caltrans. We wish you success.**

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upcoming contracting opportunities,  
please visit our website at:**

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